

EXHIBIT 1

**UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

MARK MILLER,
SCOTT COPELAND, LAURA PALMER,
TOM KLEVEN, ANDY PRIOR,
AMERICA’S PARTY OF TEXAS,
CONSTITUTION PARTY OF TEXAS,
GREEN PARTY OF TEXAS and
LIBERTARIAN PARTY OF TEXAS,

Plaintiffs,

v.

JOHN B. SCOTT, in his official capacity as the
Secretary of State of the State of Texas, and
JOSE A. “JOE” ESPARZA, in his official capacity as the
Deputy Secretary of State of the State of Texas,

Defendants.

Civil No. 1:19-cv-00700-RP

[PROPOSED] ORDER

Having considered the Parties’ respective Motions for Summary Judgment (Dkts. 57, 58), and in accordance with this Court’s Order thereon (Dkt. 102), the Court hereby orders as follows:

IT IS ORDERED that Defendants’ Motion for Summary Judgment (Dkt. 57), is GRANTED IN PART and DENIED IN PART, and Plaintiffs’ Motion for Summary Judgment, (Dkt. 58), is GRANTED IN PART and DENIED IN PART.

Defendants’ motion for summary judgment is granted and Plaintiffs’ motion for summary judgment denied except for the Court’s holding that 91) the challenged provisions, to the extent they require paper petitions, violate Plaintiffs’ fundamental rights and (2) the challenged

provisions, to the extent they require a paper petitioning process, impose unequal burdens on Plaintiffs in violation of the Equal Protection Clause.

The Court ENJOINS defendants from rejecting ballot-access petitions under Texas Election Code Chapters 141, 142, 181, 192, and 202 on the basis that such petitions were signed using an electronic stylus, or on the basis that such petitions were submitted by electronic means, such as electronic mail.¹

SIGNED on this ____ day of October, 2022.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE

¹ The Parties submit this Proposed Order in compliance with the Court's Amended Order (Dkt. 102). In submitting this Proposed Order, the Parties waive no arguments regarding the opinions expressed in the Amended Order or the propriety of the Proposed Order.